

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	CRIMINAL ACTION NO.
VS.)	
)	3:04-CR-300-G
SCOTT G. SANDERS,)	
)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

Before the court is the response of Scott Sanders (“the defendant”) to the presentence report (“PSR”) prepared by the United States Probation Office. Defense’s Response to the Presentence Report (“Defendant’s Objections to PSR”). Defendant raises several objections to the PSR. *See generally* Defendant’s Objections to PSR. Among his objections, the defendant objects to three separate two-level increases in his offense level. These objections are based on his mental competency. *Id.* at 4. The defendant asserts that he has undergone a psychological evaluation by Dr. Beaty. *Id.* at 5. The defendant states that “Dr. Beaty opines that the defendant was unable to recognize the criminality of his actions or appreciate the wrongfulness

of his conduct during the time that he was committing the acts that form the basis of his conviction.”

Pursuant to 18 U.S.C. § 4241, it is therefore **ORDERED** that a hearing to determine the competency of the defendant shall be held before the undersigned at 1100 Commerce Street, Courtroom 1525, Dallas, Texas 75242 on **Tuesday, November 1, 2005, at 9:00 a.m.**

It is further **ORDERED** that, in the event that after this hearing the defendant is found to be competent, the sentencing of the defendant shall commence immediately following the mental competency hearing.

October 19, 2005.



A. JOE FISH
CHIEF JUDGE